

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 640, As Amended

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-131, IDAHO CODE, TO PROVIDE DEFINITIONS AND TO PROVIDE FOR TRIBAL SCHOOLS AND TRIBAL EDUCATION AUTHORITY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 1, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-131, Idaho Code, and to read as follows:

33-131. DEFINITIONS -- TRIBAL SCHOOL -- TRIBAL EDUCATION AUTHORITY. (1) "Tribal school" means an institution with an educational program that has as its primary purpose providing education in any grade or grades from kindergarten to twelfth grade and that is controlled by the elected governing body of a federally recognized American Indian tribe in Idaho or by a tribal education authority established under the laws of a federally recognized American Indian tribe in Idaho.

(2) "Tribal educational authority" means the authorized governmental agency of a federally recognized Indian tribe, as defined in 25 U.S.C. section 450b, that is primarily responsible for:

(a) Regulating, administering or supervising the formal education of tribal members;

(b) Facilitating tribal control in all matters relating to the education of Indian children;

(c) Providing for the development and coordinated education programs, including all preschool, elementary, secondary and higher or vocational programs, funded by the United States bureau of Indian affairs and encouraging tribal cooperation and coordination with entities carrying out all educational programs receiving financial support from other general agencies, state agencies or private entities; and

(d) Providing for the development and enforcement of tribal education codes relating to the education of Indian children, including tribal education policies and tribal standards applicable to curriculum, personnel, students, facilities and support programs.